

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

In re:
Frederick Dany Ross Debtor(s).

Case No. 8:16-bk-08766-RCT
Chapter 13 Case

**WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE FOR UPLAND
MORTGAGE LOAN TRUST A OBJECTION TO
CONFIRMATION OF AMENDED PLAN**

COMES NOW, Wilmington Savings Fund Society, FSB, as trustee for Upland Mortgage Loan Trust A and its servicer, Carrington Mortgage Services, LLC, its Successors and/or Assigns (collectively "Secured Creditor"), by and through its undersigned counsel, as and for its Objection to Confirmation of Amended Chapter 13 Plan, and states as follows:

1. The Debtor(s) filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on October 11, 2016.
2. Secured Creditor holds a security interest in the Debtor(s)' real property located at 5135 31st Avenue N, St. Petersburg, FL 33710, by virtue of an Agreed Final Judgment of Mortgage Foreclosure which is recorded in the Public Records of Pinellas County, Florida in Book 18499 at Page 1403. Said Judgment was recorded on August 20, 2014 in the amount of \$176,426.37. A copy of the Judgment and relevant loan documents are attached to Secured Creditor's Proof of Claim (Claim 4).
3. The aforementioned gives Secured Creditor a first mortgage position on property legally described as:

LOT 9, BLOCK F, DISSTON GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 32, PAGE 28, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

More commonly Known as: 5135 31st Avenue N, St. Petersburg, FL 33710

4. Debtor's Amended Chapter 13 Plan (DE 37) proposes to retain the subject property and value it at \$105,000 with a payment of \$1,800.00 per month at 5.25%.
5. To date, no Motion to Value has been filed with the Court.
6. Secured Creditor filed a timely Proof of Claim (Claim 4) in the amount of \$185,854.45, with arrears in the amount of \$80,675.86 and a total regular monthly payment of \$1,176.96.
7. Accordingly, Secured Creditor objects to the proposed treatment of its claim as no Motion to Value has been filed and the Plan fails to properly provide for the curing of arrears and payment of the regular monthly amount due.

WHEREFORE, Secured Creditor respectfully requests that this Court enter an Order denying confirmation of the Debtor's proposed Amended Chapter 13 Plan unless such Plan is amended to overcome the objections of Secured Creditor as stated herein, and for such other further relief as the Court may deem just and proper.

Respectfully submitted:

/s/ Alexandra Kalman
Alexandra Kalman
FBN 109137
Lender Legal Services, LLC
Attorney for Secured Creditor
201 E. Pine Street, Suite 730
Orlando, FL 32801
Phone: (407) 730-4644
Fax: (888) 337-3815
akalman@lenderlegal.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Objection to Confirmation of Amended Chapter 13 Plan was either sent electronically or by U.S. mail, first-class postage pre-paid, to:

Frederick Dany Ross
216 39th Ave S
Saint Petersburg, FL 33705

Jessie Beth Molnar
Jessie Molnar, PA
P.O. Box 76069
St.Petersburg, FL 33734

Trustee
Kelly Remick
Chapter 13 Standing Trustee
Post Office Box 6099
Sun City, FL 33571

U.S. Trustee
United States Trustee - TPA7/13, 7
Timberlake Annex, Suite 1200
501 E Polk Street
Tampa, FL 33602

on March 9, 2018.

Respectfully submitted:

/s/ Alexandra Kalman
Alexandra Kalman
FBN 109137
Lender Legal Services, LLC
Attorney for Secured Creditor
201 E. Pine Street, Suite 730
Orlando, FL 32801
Phone: (407) 730-4644
akalman@lenderlegal.com